

Docket No: 09-0359
Bench Date: 4/21/10
Deadline: N/A

M E M O R A N D U M

TO: The Commission

FROM: David Gilbert, Administrative Law Judge

DATE: March 30, 2010

SUBJECT: Aaron Walker
-vs-
Commonwealth Edison Company

Complaint as to billing and/or charges.

RECOMMENDATION: Enter Order dismissing complaint without prejudice.

Complainant filed this complaint against Commonwealth Edison Company, alleging improper billing for electricity service. Complainant failed to appear for two scheduled prehearing conferences, although notice was served. The second notice apprised Complainant that the ALJ would recommend dismissal for want of prosecution if Complainant failed to appear for the second prehearing conference. ComEd appeared, and the Commission incurred court reporting fees, at each prehearing conference.

The attached Order recommends dismissal of the complaint for want of diligent prosecution, as permitted by the Commission's Rules. Dismissal is recommended without prejudice, since the merits of the complaint have not been addressed.

I recommend that the Commission enter the attached Order.

DG:fs